

THEY ASK DISCHARGE OF JURY

Exciting Scene in the McCue Trial Yes- terday.

OBJECT TO CAPT. WOOD'S STATEMENT

He Declared That He Had Re-
fused a Big Fee to
Prosecute.

**THE CASE NOT ENDED,
AS WAS EXPECTED**

Mr. Gilmer Will Close His
Speech This Morning and
the Case Will Go to the

Jury at Noon—Day of
Excitement and Dra-
matic Incidents.

(From a Staff Correspondent.)
CHARLOTTESVILLE, VA., November 4.—At the close of a long day full to the brim with dramatic and sensational in-

cidents the McCue trial was still unfinished, and the prisoner worn and haggard, was taken back to his cell to languish another night in one agony of doubt and apprehension. To the surprise

of all, and the consternation of not a few, nightfall caught the court still in session, with the concluding speech of the Commonwealth's attorney, but a little over half done. Every indication

From all the country side surrounding an from many cities and towns far away, the crowd had gathered to follow the closing bursts of oratory and then to receive from the lips of the jury the

verdict that might mean life or death to the man at the bar. But it was not to be. The last speaker overshot his estimate, and after consuming nearly three hours, found that he needed fully half as much more. The time was late and the yawning jury went to a frazzled

The yawning jury went to a hazy edge. The court stopped the flow of words and ordered the session adjourned until to-morrow morning. The crowd, in bitter disappointment went away. To-morrow it will be back again larger than ever and to-morrow it can now

scarcely be doubted, the long awaited result will be known.

Marriage Anniversary.

This day, fraught with so much anxiety to J. Samuel McCue, was the anniversary of his marriage to Fannie M. Crawford.

Eighteen years ago they stood at the altar and pledged their vows; to-night the woman lies dead in her grave and her husband sleeps in a dark cell charged with the murder. It was exactly two months ago to-day that the wife was

A Stirring Incident.
Among the various scenes that went to distinguish the session of to-day as the most notable of the entire series, marking

the progress of the case, one stands forth clearly and distinctly above all the rest. It came suddenly, and the possibilities the situation disclosed, even the peremptory discharge of the prisoner from custody, were so startling and so unusual that the crowd was almost awestruck from its feet.

In the course of his argument on Wednesday, Captain Micajah Woods, the leader of the prosecution, had seen fit to refer to his chief opponent in a manner that the latter considered merited a prompt and vigorous reply. When Lee took the floor today one of the first

things he did was to crack his whip in the direction of the Commonwealth lawyers seated near him. To Ker and Gilmer he was rather complimentary than otherwise, but when he reached the name of Woods, which he held until last, he upbraided the whole of his bench. He then

worked the ruin of his victim. He indicted the distinguished prosecutor to a Bacon appearing against his friend Essex; he asserted that he was chasing the will-o'-the-wisp—public sentiment—and in the hurry to pander to the cry for the blood of McCue, had forgotten his duty as a

He went further, and declared that this "bosom friend" whose "heart was torn with pity that he had to appear against the accused," was in fact only a man who mistook vituperation for argument and abuse for reason.

A Dramatic Sequel.

He was manifestly laboring under suppressed excitement and anger of no small degree, but he held himself carefully in

The great crowd, realizing a crisis, held its breath in anticipation. When the words finally came they were as cool and as calm, as cutting and as courteous as ever.

Captain Woods stood facing the jury.

"May it please the court," he said, "and you, gentlemen of the jury, with the gracious consent of the gentlemen on the other side and of the Commonwealth's Attorney, I should like to make one statement not pertaining to the merits of this case. In view of the attack, which

may not have been so intended, but which seemed to me as an ungenerous attack upon me by the distinguished gentleman who has made so able a speech. I desire to say that I refused a large fee in this case to prosecute."

Within a moment there was as near an approach to an uproar inside the bar as could be imagined in a court presided over by a judge of the character of Morris. Mr. Lee wheeled around in his seat. Mr. Coleman sprang excitedly to his feet.